

#### IV. REMARKS

Claims 1-40 are pending in this application. By this amendment, claims 1, 8, 11, 18, 19, 29 and 31 have been amended. Applicant is not conceding in this application that those claims are not patentable over the art cited by the Office, as the present claim amendments and cancellations are only for facilitating expeditious prosecution of the subject matter. Applicant does not acquiesce in the correctness of the rejections and reserves the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicant reserves the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, the specification is objected to for alleged informalities. Applicant has amended the specification to cure the alleged informalities. Claim 29 is objected to for alleged informalities. Applicant has amended claim 29 to cure the alleged informalities. Claims 1-40 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Klicnik *et al.* (U.S. Patent Pub. No. 2002/0184226 A1), hereafter “Klicnik,” in view of Liang *et al.* (*Bundle Dependency in Open Services Gateway Initiative Framework Initialization*, 2002, IEEE), hereafter “Liang.”

With regard to the 35 U.S.C. §103(a) rejection over Klicnik in view of Liang, Applicant respectfully asserts that the references cited by the Office do not teach or suggest each and every feature of the claimed invention. For example, with respect to independent claims 1, 11, 19 and 31, Applicant submits that the cited references fail to teach or suggest polling the client device by the server to determine if the client device has the at least one other prerequisite. In support of its

argument to the contrary, the Office cites a passage of Klicnik that describes “...several example searches...which are based on the prerequisite structure in FIG. 2 and the plug-in specifications in FIG. 3.” However, Klicnik does not specify that these example searches are performed with the goal of determining whether a device upon which a prerequisite is to be loaded already has the prerequisite. Further, Klicnik also does not teach or suggest that its search comprises a polling of a client by a server.

In contrast, the claimed invention includes “...polling the client device by the server to determine if the client device has the at least one other prerequisite.” Claim 1. As such, the polling of the claimed invention, unlike the example search of Klicnik, is done to determine if the client device has the at least one other prerequisite that needs to be loaded. In further contrast to Klicnik, the polling of the claimed invention is of the client device by the server. Thus, the example searches of Klicnik do not teach or suggest the polling of the claimed invention. Liang does not cure this deficiency. Accordingly, Applicant respectfully requests that the Office withdraw its rejection.

With further respect to independent claims 1, 11, 19 and 31, Applicant respectfully submits that the references cited by the Office also fail to teach or suggest the loading of applications from server to client in an OSGi environment. The Office asserts that Klicnik teaches loading of applications. However, the Office does not show that Klicnik teaches or suggests loading, using its method, of applications in an OSGi environment or from client to server. The Office also asserts that Liang discloses resolving prerequisites in an OSGi framework. However, Liang is concerned with order of installation of already present applications and not with determining and rectifying the absence of a prerequisite on the client,

itself. For the above reasons, the combination of the references cited by the Office does not teach the features of the claimed invention. Accordingly, Applicant requests that the rejection be withdrawn.

With respect to dependent claims 8 and 18, Applicant respectfully submits that the cited references fail to teach or suggest that the method is performed recursively for the at least one prerequisite to resolve prerequisites for the at least one prerequisite. The Office cites a passage of Klicnik that it states indicates recursively looking in a class loader's parent and recursively looking in all prerequisite class loaders who export. To this extent, the Office's interpretation of Klicnik applies to class loaders. As such, the Office does not show that the recursive elements of Klicnik are performed for prerequisites to resolve prerequisites of prerequisites. Liang does not cure this deficiency. Accordingly, Applicant respectfully requests that the rejection be withdrawn.

With respect to the Office's other arguments regarding dependent claims, Applicant herein incorporates the arguments presented above with respect to the independent claims from which the claims depend. Furthermore, Applicant submits that all dependant claims are allowable based on their own distinct features. Since the cited art does not teach each and every feature of the claimed invention, Applicant respectfully requests withdrawal of this rejection.

## **V. CONCLUSION**

In addition to the above arguments, Applicants submit that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicants do not acquiesce to the Office's interpretation of the claimed subject matter or the references used in

rejecting the claimed subject matter. Additionally, Applicants do not acquiesce to the Office's combinations and modifications of the various references or the motives cited for such combinations and modifications. These features and the appropriateness of the Office's combinations and modifications have not been separately addressed herein for brevity. However, Applicants reserve the right to present such arguments in a later response should one be necessary.

In light of the above, Applicant respectfully submits that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the number listed below.

Respectfully submitted,



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